

### § 113.3

other lawful committee income received after that date to restore the account up to that level.

(3) A qualified Member may convert committee assets which were not held on November 30, 1989, to personal use; however, the fair market value of such assets at the time of conversion shall be counted against the unobligated balance.

(4) Under no circumstances may an amount greater than the unobligated balance on November 30, 1989, be converted to personal use. Should money from subsequent contributions, other committee income, and/or the sale of campaign assets exceed the amount needed to restore the unobligated balance to its November 30, 1989, level, such additional funds shall not be converted to personal use but may be used for the purposes set forth in paragraphs (a), (b), and (c) of this section.

(5) *103d Congress or later Congress:* A qualified Member who serves in the 103d Congress or a later Congress may not convert to personal use any excess campaign or donated funds, as of the first day of such service.

(f) Nothing in this section modifies or supersedes other Federal statutory restrictions or relevant State laws which may apply to the use of excess campaign or donated funds by candidates or Federal officeholders.

[45 FR 15124, Mar. 7, 1980, as amended at 56 FR 34126, July 25, 1991; 60 FR 7875, Feb. 9, 1995]

### § 113.3 Deposits of funds donated to a Federal or State officeholder (2 U.S.C. 432(h)).

All funds donated to a federal officeholder, or State officeholder who is a candidate for federal office, shall be deposited into one of the following accounts:

(a) An account of the officeholder's principal campaign committee or other authorized committee pursuant to 11 CFR part 103;

(b) An account to which only funds donated to an individual to support his or her activities as a holder of federal office are deposited (including an office account).

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### § 113.4 Contribution and expenditure limitations (2 U.S.C. 441a).

(a) Any contributions to, or expenditures from an office account which are made for the purpose of influencing a federal election shall be subject to 2 U.S.C. 441a and 11 CFR part 110 of these regulations.

(b) If any treasury funds of a corporation or labor organization are donated to an office account, no funds from that office account may be transferred to a political committee account or otherwise used in connection with a federal election.

## PART 114—CORPORATE AND LABOR ORGANIZATION ACTIVITY

### Sec.

114.1 Definitions.

114.2 Prohibitions on contributions and expenditures.

114.3 Disbursements for communications to the restricted class in connection with a Federal election.

114.4 Disbursements for communications beyond the restricted class in connection with a Federal election.

114.5 Separate segregated funds.

114.6 Twice yearly solicitations.

114.7 Membership organizations, cooperatives, or corporations without capital stock.

114.8 Trade associations.

114.9 Use of corporate or labor organization facilities and means of transportation.

114.10 Nonprofit corporations exempt from the prohibition on independent expenditures.

114.11 Employee participation plans.

114.12 Incorporation of political committees; payment of fringe benefits.

114.13 Use of meeting rooms.

AUTHORITY: 2 U.S.C. 431(8)(B), 431(9)(B), 432, 434(a)(11), 437(d)(8), 438(a)(8) and 441b.

### § 114.1 Definitions.

(a) For purposes of part 114 and section 12(h) of the Public Utility Holding Company Act (15 U.S.C. 79l(h))—

(1) The terms *contribution* and *expenditure* shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a State bank, a federally chartered depository institution